

Committee on Resources

Subcommittee on Forests & Forest Health

Testimony

Statement of the Honorable John R. Thune
Member of Congress from South Dakota
Before the House Forests and Forest Health Subcommittee
Hearing to Review
H.R. 2079, the Terry Peak Land Transfer Act of 1999

Chairwoman Chenoweth, Ranking Member Smith, and other members of the subcommittee, I appreciate the opportunity to testify before you today regarding H.R. 2079, the Terry Peak Land Transfer Act of 1999.

Terry Peak is a popular ski resort in the Black Hills of South Dakota. The resort is situated in Lawrence County, South Dakota, and is near the communities of Deadwood and Lead. Ninety percent of the land on which Terry Peak is located is privately owned; 10 percent of the land is federally owned and administered by the Black Hills National Forest.

The land administered by the Black Hills National Forest comprises approximately 40 acres and has been permitted to Terry Peak pursuant to Section 3 of the National Forest Ski Area Permit Act of 1986. Substantial improvements unique to Terry Peak's operation, such as parking lots, chair lifts, and a ski lodge have also been made to the land. Given the improvements, the relatively small size of the parcel of land, and its isolation, it is no longer useful to the mission of, and results in significant administrative costs to, the United States Forest Service. I have an aerial photograph and map of the parcel I would like included in the official record of today's hearing.

The United States Forest Service and the Black Hills National Forest have been engaged in conversations with officials of Terry Peak regarding the latter's acquisition of the 40-acre parcel administered by the Black Hills National Forest. A great deal of time and effort has been spent constructing the proposed transaction (a non-simultaneous land exchange), ensuring broad public support for the transaction, and drafting legislation agreeable to both parties to the transaction. The result is the bill before the subcommittee today.

The bill would require Terry Peak to pay full market value, as determined by the Secretary of Agriculture, for the land. The proceeds of the sale will then be available for use by the Black Hills National Forest to acquire more useful lands from willing sellers for addition to the Black Hills National Forest.

The transaction enjoys broad public support. The Black Hills Group of the Sierra Club, the Deadwood Area Chamber of Commerce, the Lawrence County Commissioners, the Lead Area Chamber of Commerce, the Terry Peak Lodge Homeowners Association, and the Terry Valley Landowners Association all support the transaction and have encouraged its completion. I have copies of letters from each of these entities I would like included in the record of today's hearing. Additionally, the Senators from South Dakota have introduced companion legislation, S. 953, the Terry Peak Land Conveyance Act of 1999, that would achieve the same ends.

As the members of this subcommittee are aware, the Forest Service does not have administrative authority to convey the land to Terry Peak in a non-simultaneous land exchange. Therefore, Congress must grant authority for the exchange. And it is for that reason that I introduced the Terry Peak Land Transfer Act of 1999, and I encourage your support of the same.

I thank you again for the opportunity to appear before you today and I welcome any question you may have regarding the land exchange.

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